

Wiley Johnson, Mayor

*Council Members:*

Bob Jackson, Mayor Pro-Tem  
Walter Bailey  
Aaron Brown  
Christine Czarnik  
Kima Garten-Schmidt  
William McIntosh



*Town Administrator*  
Colin L. Martin

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

Town of Summerville  
**COUNCIL MEETING MINUTES**  
**April 12, 2018**

**ATTENDANCE**

Present: Mayor Wiley Johnson, Mayor Pro-Tem Bob Jackson and Councilmembers Aaron Brown, Christine Czarnik, Walter Bailey, Kima Garten-Schmidt and Bill McIntosh. Town Administrator Colin Martin, Town Clerk Beth Messervy and Town Attorney G.W. Parker were also present. Members of the press and the public were duly notified of the meeting and were also present.

**CALL TO ORDER**

The regular monthly meeting of Summerville Town Council was called to order at 6:00 p.m. on Thursday, April 12, 2018 by Mayor Johnson. The meeting was opened with prayer by Rabbi Kanter, followed by the Pledge of Allegiance that was led by Councilman Aaron Brown.

**PRESENTATIONS**

Mayor Johnson presented a proclamation to the Charleston Jewish Federation to declare April 8, 2018 – April 14, 2018 as Days of Remembrance in Memory of the Victims, Survivors, Rescuers and Liberators of the Holocaust.

**PUBLIC COMMENTS**

Mayor Johnson called for any comments from the public. Robin Dudley spoke on behalf of the Charleston Jewish Federation to thank the Town for the proclamation and recognition.

Linda Whetsell of 108 Atlantic Street brought up the concerns in her neighborhood including lack of a police presence, ditches that needed to be cleaned out, loud noise from the development behind her house, and the zoning in the area. She also stated that the Town does not need a hotel and that the Central Avenue traffic needs to be fixed.

Rosanne Daniel of 450 Dovetail Circle spoke on behalf of the Weatherstone HOA President who could not attend the meeting regarding the Bear Island Road Project. The road is going right behind her home, and she is concerned with the time of when the construction will take place. She asked that Council wait to do construction until all property is purchased and more traffic studies are done.

Jennifer Bailey of 80 Gaillard Avenue spoke in support of the Bear Island Road project, stating that she is ready to see construction start as soon as possible.

John Nicholas Hayes of 319 Dupont Way spoke about the Unified Development Ordinance, voicing his concerns over climate change, flooding, zoning, and height and density allowances.

Dianne Frankenburger of Central Avenue praised the town for the cleanup before, during and after the Flowertown Festival. She also applauded the YMCA for a great event. Finally, she commended the Summerville Police Department for treating an intoxicated gentleman in her alleyway with courtesy and respect after she called the police to assist getting the man out of the alley.

Martin Boyle of 205 Kenilworth Road recommended and requested that Council put off the purchase of snow plows and snow plow equipment until other needs of the Town are addressed.

Michelle Trappiere spoke in support of the annexation of the Knightsville properties on the agenda for the evening. They are owners of some of the property, and they give their full support to the annexation and purchase by Crescent Homes.

There being no further comments from the public, Mayor Johnson closed this part of the meeting.

#### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to approve the combined minutes of the March 8, 2018 Town Council meeting and the Special Called Council meeting from March 29, 2018 as presented. The motion carried unanimously.

#### **APPROVAL OF COUNCIL COMMITTEE REPORTS**

Mr. Jackson made a motion, seconded by Mr. McIntosh to approve the combined minutes of the April 9, 2018 reports from Parks and Recreation, Planning and Development, Public Works, and Finance. Mr. Brown pointed out one mistake in the Finance Committee minutes. His name was left off of a vote. The motion carried with the correction of the mistake.

#### **PETITIONS**

Mr. Bailey made a motion, seconded by Ms. Garten-Schmidt to accept the petition by Whitney Kriewaldt to annex Dorchester County TMS# 144-16-03-006 (approximately 0.54 acres) located at 115 King Charles Circle, currently zoned R-1 Single-Family Residential in Dorchester County and will be zoned R-2 Single-Family Residential upon annexation into the Town of Summerville's municipal limits. The motion carried unanimously.

#### **PENDING BILLS AND RESOLUTIONS**

Mr. McIntosh made a motion, seconded by Mr. Brown, to approve on second and final reading of the petition by Greenwave Self Storage, LLC to annex Dorchester County TMS# 144-00-00-

019 (approximately 2.37 acres) located at 434 Orangeburg Road, currently zoned CG General Commercial in Dorchester County and will be zoned B-3 General Business upon annexation into the Town of Summerville's municipal limits. Mr. Jackson stated that the property is an existing business that is planning to expand. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Brown, to approve on second and final reading of the petition by Town of Summerville to annex Dorchester County TMS# 153-00-00-141 (approximately 7.26 acres) located on Ridge Road, currently zoned R-4, Multi-Family Residential in Dorchester County and will be zoned PL, Public Land, upon annexation in the Town of Summerville's municipal limits. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Brown to approve on second and final reading of an ordinance to annex Dorchester Co. TMS#s 143-04-00-012, Sam Lane; 143-04-00-013, Cone Lane; 143-04-00-018, Sam Lane; 143-04-00-019, Sam Lane; 143-04-00-020, Lazy Acres Loop; 143-04-00-021, Lazy Acres Loop; 144-01-00-004, 803 Orangeburg Road; 144-01-00-019, 809 Orangeburg Road; 136-13-00-005, 824 Orangeburg Road; 136-13-00-009, 810 Orangeburg Road; 136-13-00-008, 100 Claussen Street, 11 parcels approximately 76.43 acres. Currently zoned R-4, Multi-Family Residential, and R-1(M), Single-Family Residential Manufactured Housing in Dorchester County and will be zoned PUD, Planned Unit Development, B-2 Neighborhood Business Centers and R-5 Mixed Residential upon annexation into the Town of Summerville's municipal limits.

Mr. Jackson was concerned that the residential entity was not what he was looking for and that it could be developed in other areas of Knightsville.

Ms. Czarnik expressed her concern with the true requirements for a PUD being met by the proposed plan. She stated that the annexation would cost the town more money than it would generate in revenues.

Mr. McIntosh shared the same concerns as Mr. Jackson and Ms. Czarnik. However, he believes that the revisions that the developer has made to the plans since first reading will add more commercial zoning to the area, therefore bringing in more revenue. He also stated that the surrounding properties of that area would most likely turn into commercial developments, and that the possibility for annexation of those properties would be greater if the properties in the ordinance were annexed into the Town's municipal limits.

Mr. Jackson pointed out that the property is already zoned for apartments through the County zoning, which would cause even more traffic than the Crescent Homes development proposed. Ms. Czarnik stated that 60%-75% of the development would not be allowed until County zoning.

Mr. Brown pointed out that the property will affect the Town whether or not it is annexed since the Town provides services through mutual aid. Annexing will give the Town more control over services and the Town would get actual tax dollars from the properties.

Mayor Johnson expressed his concerns about the density, the negative financial impact to the Town, and the fact that there are no great benefits to annexing.

Ms. Garten-Schmidt's objection was to the tax base coming in versus the money going out. She does like that this would necessitate more infrastructure on Orangeburg Road. She also likes that the neighborhood is pleasing to people of all different incomes, and she hopes that the Town will annex before it becomes a donut hole.

Mayor Johnson stated that the roads would be the Town's responsibility and that staff has concerns about flooding.

The motion carried with Ms. Czarnik and Mayor Johnson voting in opposition.

Mr. Brown made a motion, seconded by Mayor Johnson, to give second and final reading of an ordinance to approve a quit-claim deed to Constance H. Davis for property adjacent and abutting to 110 Classic Street. The motion carried unanimously.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

N/A

#### **MISCELLANEOUS**

Mr. McIntosh made a motion, seconded by Mr. Brown, to adopt the Compensation and Classification study with the amendment that the implementation to the Police and Fire Department begin on July 1, 2018 and implementation of all remaining salary increases start on January 1, 2019 after the amount is budgeted in for 2019.

Mr. McIntosh explained that the two phase implementation allows the Town to stay within budget, and that implementing Police and Fire on July 1, 2018 would help to decrease the amount of turnover in those departments.

Ms. Czarnik expressed her concerns with the final numbers presented, explaining that with so many mistakes made by Evergreen, she does not have faith that the numbers are correct. She also cannot support an increase of salary between 25%-75%, and that she cannot adopt the study implementation as a whole.

Town Administrator Colin Martin explained that this was an objective survey to compare the Town to other surrounding municipalities. He has confidence in the numbers. He recommended that all changes be implemented on July 1, 2018 and that the additional money for implementation be augmented at the end of the year with fund balance. He believes that the two phase implementation would cause morale issues amongst Town employees. Some discussion followed regarding the number of building inspectors lost last year to salary issues.

The motion carried with Ms. Czarnik and Mayor Johnson voting in opposition.

Town Administrator Colin Martin explained that the Clemson survey done for the Parks and Recreation Department pointed out the need for more water recreation and trails, and that the property on the Ashley River would help accomplish that. Mr. Martin is asking for permission to enter negotiations to buy a piece of property on the Ashley River.

Mr. McIntosh made a motion, seconded by Mr. Brown, to give the Town Administrator the authorization to enter into negotiations for a price on the land. Mayor Johnson stated that any negotiations should have the Mayor and at least one Council member in participation.

Additional discussion followed. Mr. Jackson stated that he has been working with Dorchester County Parks and the Conservation Department on the development and use of this land.

The motion carried unanimously.

Town Administrator Colin Martin opened the discussion of a Tourism Management Agreement with the Chamber of Commerce. He believes this to be a legitimate item for Executive Session, as a contract and public funds are to be discussed.

Mayor Johnson made a motion, seconded by Mr. Jackson to postpone the item until the May Finance Committee meeting. The motion carried.

Mr. McIntosh stated that he would still like to discuss it in Executive Session to better understand the details of the agreement.

Mayor Johnson made a motion, seconded by Ms. Czarnik, to require all Standing Committees of Council and all citizen committees, boards and commissions to place "Public Comment" at the beginning of their agendas.

Judge Huff and the Municipal Association of South Carolina are in favor of having "Public Comment" available for any meeting of a public body.

Mr. Jackson expressed his disagreement with the motion, stating that including "Public Comment" on the agenda opens it up for anyone to bring up anything regardless of if it is on the agenda or not. As Chairman of his committee, he always asks if anyone has any questions or comments so that they are addressed properly.

Mr. Brown stated that if the public has concerns, they should voice them during the "Public Comment" section of the regularly scheduled Town Council meetings. He explained that he is always open to questions from the public during the Standing Committee meetings, but that a formal "Public Comment" section would delay the meeting. Mr. Brown stated that he would not deny the public the ability to speak at the Standing Committee meetings.



Ms. Czarnik supported Mayor Johnson's motion, because frequently the public does not even know that they are invited to these meetings.

Some additional discussion followed. Mr. McIntosh, Mr. Bailey, Ms. Garten-Schmidt, Mr. Jackson, and Mr. Brown voted against the motion and Ms. Czarnik and Mayor Johnson voted in favor of the motion. The motion failed.

**MAYOR'S REMARKS:**

Mayor Johnson shared an article about the community engagement software that North Charleston is using. Citybot allows citizens to report potholes, out street lights, and the like to the Town by text message. This increases public engagement by 94% and makes the repair of street lights 112% more efficient. Mayor Johnson would like Mr. Martin to look into this. Mr. Martin explained that he and staff have been looking into this type of software and that staff will bring a plan for this to Council soon.

Mayor Johnson stated that the Town Clerk has scheduled two sessions for training on the Freedom of Information Act and Robert's Rules of Order. Both sessions will be held on May 30<sup>th</sup>, with one at 10am and one at 4pm. He would like all members of Council and all members of the citizen committees, boards, and commissions to attend one of the sessions.

Mayor Johnson asked that all meetings of the Town be held in Town buildings. He explained that hosting public meetings in buildings not owned by the Town can give the impression that the Town is trying to exclude the public.

Mayor Johnson also asked that all Council, Standing Committee, and citizen committee, board, and commission meetings be live streamed to the best of the staff's ability.

**EXECUTIVE SESSION:**

Ms. Messervy explained the topics to be discussed in Executive Session: contractual matter relating to Ashley River land purchase; contractual matter relating to Tourism Management Agreement; personnel matter related to Compensation and Classification Study; personnel matter related to appointments of Citizen Committees, Commissions, and Boards; and legal matter related to pending court cases. Mr. Brown made a motion, seconded by Mr. Jackson to enter into Executive Session at 7:34pm. The motion carried with Mr. Bailey voting in opposition. Mr. Bailey's objection was to the court case items being appropriate for Executive Session.

**OTHER BUSINESS:**

Council reconvened at 8:26pm in Chambers. Town Attorney GW Parker explained that the legal matter regarding court cases was not discussed, nor was the contractual matter regarding the Compensation and Classification study. He stated that no action was taken on any of the line items discussed in Executive Session.

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Mayor Johnson made a motion, seconded by Mr. Jackson, to appoint John Mott to the Bicycle and Pedestrian Committee for a term of three years. The motion carried unanimously.

Mayor Johnson made a motion, seconded by Ms. Czarnik, to reappoint Faye Campbell to the Tree Committee for a term of three years. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. McIntosh, to appoint Tara Bailey to the Bicycle and Pedestrian Committee for a term of three years. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to reappoint Jeff Bowers and Cecile Cothran to the Board of Architectural Review for a term of three years. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Brown, to reappoint Bill Beauchene, Michael Gregor, and Carolyn Rogerson to the Commercial Design Review Board for a term of three years. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Brown, to reappoint Elise Richardson and Dennis Tsuklas to the Board of Zoning Appeals for a term of three years. The motion carried unanimously.

Ms. Czarnik made a motion, seconded by Ms. Garten-Schmidt, to appoint Scott Riddell to the Board of Zoning Appeals for a term of three years. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson and Mr. Brown, to reappoint Frances Townsend to the Municipal Election Commission for a term of three years. The motion carried unanimously.

Some discussion followed regarding an ordinance to change the Board of Zoning Appeals to a board of 7 members instead of 5.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to reappoint Down Hawley, Cynthia Powell, and Emmagene Rhodes to the State Accommodations Tax Advisory Committee for a term of three years. The motion carried unanimously.

#### **ADJOURN**

There being no further business, the meeting adjourned at 8:38 p.m. on motion of Mr. Jackson, seconded by Mr. McIntosh.

APPROVED:

Respectfully submitted,

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William W. Johnson, Mayor

Beth Messervy, Town Clerk

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